

SMBRC Governing Board Meeting Minutes

December 17, 2015

Welcome and Introductions

At 9:40 Charlie Caspary called the meeting to order. Introductions followed.

1) Comments from Members of the Public on Items Not on the Agenda and Public Testimony on All Agenda Items

Public Comment:

Kathy Knight recognized Jim Knight's work and community service for the past 8 years. Knight said she is saving water and only uses approximately 50 gallons of water a day and she has reduced her trash production down to a small barrel every one and a half months. Knight said it is important to connect people to the environment.

Stephanie Beckman introduced herself as board member of the Ballona Wetlands Land Trust (BWLT). Beckman said BWLT is concerned about a science based restoration plan for the short and long term impact to habitat. Beckman said transparency and collaboration are important to the BWLT. Beckman said BWLT would like to be in the collaboration process and she apologized for the inconvenience BWLT has caused in an effort to pursue transparency and collaboration.

Walter Lamb thanked Stephanie and BWLT board members and commented on pending litigation by the BWLT against the SMBRC.

In response, SWRCB legal counsel Frances McChesney stated that Lamb's description of the litigation was fairly inaccurate and proceeded to inform the Governing Board regarding the litigation status, among other things.

2) Informational Items

a. Order of Agenda.

The order of the agenda was not changed.

b. Reports from the Chair and Executive Committee (EC)

Scott Valor gave the EC meeting report from November. Valor reported the executive director gave his ED report at the meeting. Valor said the Watershed Advisory Council election voting procedures were discussed and the majority of the meeting was used to discuss the two resolutions that are on the agenda to possibly be rescinded.

c. Reports from the Technical Advisory Committee

Richard Ambrose gave the TAC report. Ambrose said the TAC has been working on the State of the Bay (SOTB) report which will be heard later today on the agenda.

d. Reports from the Executive Director (ED) and Staff

Tom Ford said the SOTB report is close to being published. Ford stated that he assisted in the EPA Region IX evaluation of the Morro Bay National Estuary Program. Ford also said that the orientation page of the Santa Monica Bay National Estuary Program is available on the smbrc.ca.gov webpage. Ford said the storm water detention basins around the City of Torrance have had some flooding issues so that is being addressed and the benefits will be returned to the project. Ford said the Request For Proposals Clean Bay Watershed Task Force (CBWTF), recognized as the technical review committee of the received proposals, is being put together. Ford said Rich Ambrose and other members of the TAC have come forward to be a part of the CBWTF. Ford said the Regional Monitoring Report for Southern California Coastal Wetlands was published on the Foundation's webpage. Ford said it is a tier three US EPA approach to understanding the health of coastal wetlands and thanked Karina Johnston who led the effort in conjunction with Southern California Coastal Water Resource Project and California State Channel Islands University. Ford said the Ballona Wetlands EIR/EIS will be coming out in summer 2016; in order to get it correct there was a delay in the process. Ford said State Parks was successful in removing the fish barriers in Arroyo Sequit. Ford said all the barriers are out in time for El Niño and trout are free to use this new habitat. Ford said as of now the bridges have not been installed so fish will have an easier time moving through the park than people visiting. Ford thanked Victoria Gambale for leading the installation of a bilge pump out in Oceanside California with an engineering firm from Italy. Ford said the Clean Bay Restaurant Program has expanded to include an eighth city, Culver City.

3) Governing Board Business

a. Consideration of Approval of October 15, 2015 Meeting Minutes

The October minutes were approved unanimously, as amended, with one change to the member comment section: change the fifth sentence to read “Godfrey said his group recently completed a \$30,000 rehabilitation of fish pens in Burton Chase Park; they also released the first batch of 6,500 fish from the rehabilitated fish pens.” (M: Bochco, S: Reznik)

b. Election of Watershed Advisory Council Members to the Governing Board

Scott Valor opened the floor to nominations for the three at-large positions. Since there were four nominees each person was given an opportunity to speak. The following representatives spoke: Clark Stevens of the Resource Conservation District of the Santa Monica Mountains, Bob Godfrey of Marina del Rey Anglers, Rich Nagel of West Basin Municipal Water District, and Jim Lamm of Ballona Creek Renaissance. Valor stated the procedures of the voting process and voting occurred. Dan Murphy and Francis McChesney were appointed to oversee the counting of votes by staff. Resource Conservation District, West Basin Municipal Water District, and Marina del Rey Anglers were elected to fill the at-large positions.

Scott Valor opened the floor to nominations for the environmental and public interest positions. Ballona Creek Renaissance was nominated from the floor. Since there are two environmental and public interest positions and three nominees, each person was given an opportunity to speak. The following representatives spoke: Sarah Sikich of Heal the Bay, Bruce Reznik of Los Angeles Waterkeeper, and Jim Lamm of Ballona Creek Renaissance. Dan Murphy and Francis McChesney were the election inspectors. Heal the Bay and LA Waterkeeper were elected to the two environmental/public interest positions.

Scott Valor opened the floor to nominations for the business interest position. Chevron was nominated from the floor. As there is one business interest position and two nominees, each person was given an opportunity to speak. The following representatives spoke: Marv Sachse from Brash Industries and Rod Spackman from Chevron. Dan Murphy and Francis McChesney were the election inspectors. Chevron was elected to the business interest position.

c. Consideration of Approval of 2016 Governing Board Meeting Calendar

The 2016 board meeting calendar was approved unanimously. (M: Murphy, S: Zaldivar)

d. Consideration to Rescind Two Resolutions Recommending Prop. 84 Funding

Ford introduced one resolution for consideration to rescind—resolution 10-7 from June 17, 2010 for \$1million to National Parks Service for the purchase and restoration of a seven acre area in and around Trancas Lagoon. Ford said after five years there was not a real opportunity to make the acquisition. Ford introduced the second resolution for consideration to rescind—resolution 13-09 from December 19, 2013 to award \$1 million to the City of Los Angeles for a series of dry and wet weather Best Management Practices along the Vermont Street corridor. Ford said neither resolution had a grant agreement executed or funds committed by the State Water Board, so the money stays available for Prop 84 projects. Ford said these projects continue to be high priority issues.

Daniel Murphy said resolution 10-07 appeared to have contingencies and asked if in the future the commission can attach a subset of contingencies so it is not necessary to rescind the resolutions. Jack Topel said he'd have to check with the Department of Finance. Joan Cardellino said she is reluctant to add more contingencies and recommended leaving less binding language in the agreement so it can remain flexible to deal with issues. Bruce Reznik said he appreciates staff follow up to ensure these projects cannot move forward and he looks forward to

having more money available for new projects. Dayna Bochco asked if the money from Prop 84 will be taken back if it's not spent. Ford said there is pressure from the State Water Board to spend the money although we haven't been given an ultimatum that the money needs to be spent or taken away. Ford said there is an RFP out and the money from these projects can be used for this RFP process.

Motion to rescind the two resolutions was passed unanimously. (M: Nagel, S: Reznik)

e. State of the Bay Report Update

Ford said the publication is in the final stages and should be available in January. Dr. Guangyu Wang presented on the geographic range, purpose, structure, and water resources section of the State of the Bay report. Dr. Rich Ambrose presented on the habitat conditions section of the report and the seven major types of habitats in the bay. Tom Ford presented on other features and messages including marine protected areas, endangered species and fisheries, as well as the looking ahead section.

Enrique Zaldivar asked why the State of the Bay conference was held prior to the report being finalized. Ford answered that the conference occurred prior to the report being finalized because of the edits and publication schedule. Stephanie Beckman asked where the report will be published and will the underpinnings of the data collections and details be available. Ford answered that the report will be available at urbancoast.org and the data and underpinnings vary but citations will be present throughout.

Bob Godfrey asked about the level of staff resources with new the climate change directive from Obama when there are 2015 projects that are not meeting deadlines. Ford answered that we did receive a \$20,000 grant to help meet the new needs of the climate change directive. Ford said this is a two phased process, gathering data and formulating tools in 2016 and implementation strategies in 2017 which will show the real limitations of resources. Godfrey asked what is happening with the fisheries management plans, lobster and halibut management plans and other 'now' issues. Ford answered that we need to determine if current issues will be in the picture of our future, we need to first determine if we will have halibut and lobster in our area in the long term future. Ford said we continue to work with Department of Fish and Wildlife and others to inform fisheries management plans. Murphy said that the water temperatures are very high for this time of year and the weather service said tide gauges are reading six inches higher than predicted for both low and high tide. Murphy said he is glad we are addressing some of our energy and resources toward exploring the issue of climate change.

Mark Pestrella said the agencies need the information we put together in the State of the Bay Report, and these agencies that need this information should lend their resources; financial and technical. Pestrella said there's an opportunity to pull further from this community. Dr. Wang acknowledged Joe Gully and Los Angeles County Sanitation Districts for all their help and fast turnaround on this process. Lauren Pizer Mains asked about publishing the report on sites other than urbancoast.org for accessibility. Ford said announcements and links will be available at other sites to lead viewers towards urbancoast.org.

f. Member Comment—Governing Board members may wish to comment on issues not otherwise on the agenda

Joan Cardellino announced that California Coastal Conservancy's explore the coast program (grant) received 26 applications in the south coast region and about ten in Los Angeles county. Rorie Skei announced that Santa Monica Mountains Conservancy awarded its first round of Proposition 1 funds and that a notable grant was awarded to the City of Calabasas to restore one and a half miles of Las Virgenes creek. Charlie Caspary announced that there is a reclaimed water fill station at the compost facility at Las Virgenes Municipal Water District where customers can come, take health department training, and take and use the water. Caspary said this

program encourages customers to conserve and shows them just how heavy water is and how much they use. Caspary said anyone can take compost but only customers can take recycled water. Caspary said there is a limit of 300 gallons which is 2500 pounds of water. Bob Godfrey asked about the Oxford Basin project and said he is concerned with sediment and mud issues due to El Niño. Mark Pestrella gave an update on the Oxford Basin project and said that although it looks like a mud hole, it is currently fully functional for flood control. The spring of next year is when the ribbon cutting will take place. Pestrella said the department is primarily a flood fighting agency and offers outreach to all levels of the community and can come out to communicate to all groups about how to protect themselves in regards to flooding. Pestrella said an area of vulnerability list has been developed and specific communities are being reached out to for this specific reason. Pestrella said Los Angeles County in general has an El Niño based website with links and resources useful to respond to your constituents. Pestrella said the department's goal includes outreach and encourages you to invite the department to talk to your constituents. Laurie Newman thanked Tom Ford and his staff for the work they do.

g. Announcement of Next Meeting Date (set for February 18, 2016 at 9:30 a.m.)

The meeting was adjourned at 12:02 without objection

Attendance

Voting Members of the Governing Board:

Dayna Bochco, California Coastal Commission
Joan Cardellino, California State Coastal Conservancy
Charles Caspary, Las Virgenes Municipal Water District
Debbie Dyer Harris, Councilmember Mike Bonin, Los Angeles City Council District 11
Robert Godfrey, At-Large Member (Marina del Rey Anglers)
Joe Gully, LA County Sanitation District
Timothy Lippman, Office of Sheila Kuehl, Supervisor, 3rd District, County of Los Angeles
Dan Murphy, LA County Fire Department, Lifeguard Division
Rich Nagel, West Basin MWD
Mark Pestrella, LA County Department of Public Works
John Rea, South Bay Cities (Palos Verdes Estates)
Bruce Reznik, Public Member/Environmental, LA Waterkeeper
Marvin Sachse, Public Member/ Business, Brash Industries
Sarah Sikich, Public Member/Environmental, Heal the Bay
Rorie Skei, Santa Monica Mountains Conservancy
Clark Stevens, At- Large Member (SM Mtns RCD)
Enrique Zaldivar, LA City Sanitation

Non-Voting Members of the Governing Board:

Rich Ambrose, Technical Advisory Committee, Chair
Molly Martin, US EPA Region IX
Laurie Newman, President, The Bay Foundation
Timothy Pershing, Assembly Member Richard Bloom, 50th District
Lauren Pizer Mains, State Senator Ben Allen, 26th District

SMB NEP Staff present:

Julie Du Brow
Tom Ford
Victoria Gambale
Jack Topel
Scott Valor
Marcelo Villagomez
Guangyu Wang
Frances McChesney, SWRCB Legal Counsel

Other Attendees, including other Watershed Advisory Council Members:

Stephanie Beckman, Ballona Wetlands Land Trust
Craig Cadwallader, Surfrider South Bay
EJ Caldwell, West Basin Municipal Water District
Cesar Espinosa, Department of Beaches & Harbors
Kathy Knight, Ballona Ecosystem Education Project
Walter Lamb, Ballona Wetlands Land Trust
Jim Lamm, Ballona Creek Renaissance
Donna Murry, Ballona Wetlands Land Trust
Domingo Orosco, Los Angeles Sanitation
David Pedersen, Las Virgenes Municipal Water District
Steve Santen, Marina del Rey Anglers
Dennis Washburn, Malibu Creek Watershed Council
Rod Spackman, Chevron